

SENATE BILL 3856

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 4; Title 7; Title 10; Title 68 and Title 71, relative to the establishment of health information technology initiatives.

WHEREAS, the State of Tennessee is a health care services provider, a payor for health care services, a healthcare regulator, and a source of health care data for exchange; and

WHEREAS, it is in the interest of the State to improve the quality, safety, effectiveness, and efficiency of healthcare and its delivery for all Tennesseans through the use of health information technology in a manner that serves the public interest and protects the privacy and security of Tennesseans' health information; and

WHEREAS, improvements in the coordination of care and cost efficiencies in the delivery of care can be realized by the development of a statewide Health Information Exchange (HIE) and the promotion of Health Information Technology (HIT); and

WHEREAS, on February 17, 2009, the President signed the American Recovery Reinvestment Act of 2009 (ARRA). This statute included the Health Information Technology for Economic and Clinical Health Act of 2009 (HITECH Act) that sets forth a plan for advancing the appropriate use of health information technology to improve quality of care by coordinating the overall effort to implement a nationwide health information technology infrastructure that allows for the electronic use and exchange of health information.

WHEREAS, Section 3013 of ARRA authorizes the Secretary of the Department of Health and Human Services, acting through the Office of the National Coordinator for Health Information Technology ("ONC"), to establish a program for the awarding of grants to facilitate and expand the electronic movement and the use of health information among organizations according to nationally recognized standards; and

WHEREAS, on August 20, 2009, ONC issued in its Funding Opportunity Announcement (the “FOA”) for its State Health Information Exchange Cooperative Agreement Grant Program to implement the incentives for the use of health information technology and establishment of a statewide health information exchange pursuant to Section 3013 of ARRA; and

WHEREAS, on October 14, 2009, the State applied for the grant funding by submitting strategic plan for the statewide implementation of Health Information Exchange (“HIE”); and

WHEREAS, there is a benefit for the healthcare departments of the State to work together on aligning and implementing HIE, HIT and other fundamental common interests; and

WHEREAS, the State’s HIT Coordinator must harmonize the internal State departments which are actively exchanging health information electronically and those departments that have an interest in the exchange of health information and key external healthcare stakeholders who are already electronically exchanging health information and those stakeholders that have an interest in the exchange of health information; and

WHEREAS, key healthcare stakeholders have formed Health Information Partnership for Tennessee, Inc., (HIP TN) to further their efforts through collaboration and to expand health information exchange in accordance with the statewide strategic plan and to pursue quality improvement, care coordination and cost efficiencies in the delivery of care; now, therefore, BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 3, Part 10 is amended by adding the following language as a new appropriately designated section:

Section 4-3-1021.

(a) The department of finance and administration is authorized to establish, develop and manage an Internal Health Council, referred to as the “council” in this section.

(b) The council shall be chaired by the commissioner of finance and administration or designee and include the state's health information technology coordinator or equivalent, the commissioners or their designee of the following departments or their equivalent: health, correction, mental health and developmental disabilities, human services, children services, education, and intellectual disabilities.

(c)

(1) The council shall assist the state's health information technology coordinator with implementing, coordinating and integrating for compatibility purposes, the State's health information technology infrastructure with the statewide health information exchange as established by the Health Information Partnership for Tennessee, Inc., or equivalent.

(2) The council shall have the authority to review and analyze new information technology, including but not limited to changes in federal laws, regulations and policies governing health information technology which impact states' health information exchanges and advise the state health information coordinator concerning implementation of effective health information exchange policies resulting in uniform application of health information technology across applicable state agencies.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.